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EXAMINER

BURGESS, BARBARA N

ART UNIT PAPER NUMBER

2157

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/031,297

Applicant(s)

DUROJ, DANI

Examiner

Barbara N. Burgess

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 25 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1-14-02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 19-20, 24-31, 35-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakano et al. (hereinafter "Nak", US Patent Publication 2002/0055847 A1).

As per claim 19, Nak discloses an information carrier having a credit card size and providing access to information in a network, the information carrier comprising:

(a) devices for storage and creation of a code key for access to at least one service in a network that is only available for a user of the carrier, whereby the at least one service is directly adapted solely for needs of the user and is chosen from a group consisting of automatically connecting the user to a particular seminar and automatically connecting the user to a group which maintains contact with each other via the carrier (paragraphs [0013, 0024, 0031-0032]);

(b) a device for at least one pointer that automatically directs the user to at least one specific server for the at least one service following activation of the carrier, whereby the information carrier is designed in a format that is comfortable to carry and to be borne

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by a person, whereby a provider of the at least one service provides the at least one service for the user by assignment of the carrier, and whereby dynamic communication is allowed between the user and the provider of the at least one service that is comprised in the carrier (paragraphs [0013, 0025, 0037]);

(c) devices for storage and activation of a web browser that is specifically designed for requirements of the user (paragraphs [0012, 0025]).

As per claim 20, Nak discloses information carrier according to claim 19, wherein the at least one service is designed without participation of the user (paragraph [0038]).

As per claim 24, Nak discloses information carrier according to claim 19, wherein the web browser is specific for the user and in this way does not depend on standard Internet language HTML, whereby the web browser allows access to other networks with databases, and permits communication using other languages suitable for such purposes (paragraphs [0037-0038]).

As per claim 25, Nak discloses information carrier according to claim 19, wherein the provider is chosen from a group consisting of a commercial company and an organization (paragraphs [0031-0032]).

As per claim 26, Nak discloses information carrier according to claim 25, wherein

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the at least one service of automatically connecting the user to a group comprises the user being updated by a commissioner concerning information from a principal location (paragraph [0024]).

As per claim 27, Nak discloses information carrier according to claim 25, wherein the at least one service comprises the user being updated by a commissioner concerning information from a manager (paragraph [0036]).

As per claim 28, Nak discloses information carrier according to claim 19, wherein the at least one service of automatically connecting the user to a particular seminar comprises providing access to a video conference over a network (paragraph [0024]).

As per claim 29, Nak discloses information carrier according to claim 19, wherein the at least one service of automatically connecting the user to a group comprises notifying the user of all rights and benefits that the user has received, which rights and benefits have been initiated by the carrier depending on a choice thereof (paragraph [0024, 0037]).

As per claim 30, Nak discloses method for accessing information in a network comprising the steps of:

- (a) providing an information carrier having a credit card size whereby the information carrier is designed to be in a format that is comfortable to carry and to be borne by a person (paragraphs [0013, 0025, 0037]);
- (b) creating and storing a code key on the carrier for access to at least one service available for the user, the provider of the service provides the at least one service for the user by assignment of the carrier, the at least one service is chosen from a group consisting of automatically connecting the user to a particular seminar and automatically connecting the user to a group which maintains contact with each other via the carrier (paragraphs [0013, 0024, 0031-0032]);
- (c) activating a web browser via the carrier that is specifically designed for requirements of the user (paragraphs [0012, 0025]);
- (d) automatically directing the user, via the carrier, to at least one specific server for the at least one service following activation of the carrier by at least one pointer thereby allowing dynamic communication between the user and the provider of the at least one service (paragraphs [0013, 0025, 0037]).

As per claim 31, Nak discloses method according to claim 30, wherein the service is designed without participation of the user (paragraph [0038])

As per claim 35, Nak discloses method according to claim 30, wherein the web browser is specific for the user and in this way does not depend on standard Internet language HTML, whereby the web browser allows access to other networks with

databases and permits communication using other languages suitable for such purposes (paragraphs [0037-0038]).

As per claim 36, Nak discloses method according to claim 3Q, wherein the provider is chosen from a group consisting of a commercial company and an organization (paragraphs [0031-0032]).

As per claim 37, Nak disclose method according to claim 36, wherein the at least one service of automatically connecting the user to a group comprises the user being updated by a commissioner concerning information from a principal location (paragraph [0024]).

As per claim 38, Nak discloses method according to claim 36, wherein the at least one service of automatically connecting the user to a group comprises the user being updated by a commissioner concerning information from a manager (paragraph [0036]).

As per claim 39, Nak discloses method according to claim 30, wherein the at least one service of automatically connecting the user to a particular seminar comprises providing access to a video conference over a network (paragraph [0024]).

As per claim 40, Nak discloses method according to claim 30, wherein the at least one service of automatically connecting the user to a group comprises notifying the user of all rights and benefits that the user has received, which rights and benefits have been initiated by the carrier depending on the choice of thereof (paragraph [0024, 0037]).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21-23, 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano et al. (hereinafter "Nak", US Patent Publication 2002/0055847 A1) in view of Fischer (US Patent 6,016,298).

As per claim 21, Nak discloses information carrier according to claim 19. Nak does not explicitly disclose wherein the carrier is a compact disc. However, in an analogous art, Fischer discloses a card that can be inserted in a CD drive and read. The information on the card can be recorded and read by a computer when inserted in the CD drive (Abstract, column 1, lines 60-67, column 2, lines 28-35).

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Therefore, one of ordinary skill in that art at the time the invention was made would have found it obvious to implement or incorporate Fischer's carrier is a compact disc in Nak's system in order for company information, such as the company program, catalogs, order forms, and automatic internet access to the homepage of the company can be provided as information on the calling card.

As per claim 22, Nak does not explicitly disclose information carrier according to claim 21, wherein the compact disc has a perimeter smaller than standard charge cards. However, in an analogous art, Fischer discloses a card that can be inserted in a CD drive and read. The information on the card can be recorded and read by a computer when inserted in the CD drive (Abstract, column 1, lines 60-67, column 2, lines 28-35).

Therefore, one of ordinary skill in that art at the time the invention was made would have found it obvious to implement or incorporate Fischer's carrier is a compact disc in Nak's system in order for company information, such as the company program, catalogs, order forms, and automatic internet access to the homepage of the company can be provided as information on the calling card.

As per claim 23, Nak does not explicitly disclose information carrier according to claim 21, wherein the compact disc has a perimeter smaller than standard smart cards.

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However, in an analogous art, Fischer discloses a card that can be inserted in a CD drive and read. The information on the card can be recorded and read by a computer when inserted in the CD drive (Abstract, column 1, lines 60-67, column 2, lines 28-35).

Therefore, one of ordinary skill in that art at the time the invention was made would have found it obvious to implement or incorporate Fischer's carrier is a compact disc in Nak's system in order for company information, such as the company program, catalogs, order forms, and automatic internet access to the homepage of the company can be provided as information on the calling card.

As per claim 32, Nak discloses method according to claim 30.

Nak does not explicitly disclose wherein the carrier is a compact disc. However, in an analogous art, Fischer discloses a card that can be inserted in a CD drive and read. The information on the card can be recorded and read by a computer when inserted in the CD drive (Abstract, column 1, lines 60-67, column 2, lines 28-35).

Therefore, one of ordinary skill in that art at the time the invention was made would have found it obvious to implement or incorporate Fischer's carrier is a compact disc in Nak's system in order for company information, such as the company program, catalogs, order forms, and automatic internet access to the homepage of the company can be provided as information on the calling card.

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As per claim 33, Nak does not explicitly disclose method according to claim 32, wherein the compact disc has a perimeter smaller than standard charge cards. However, in an analogous art, Fischer discloses a card that can be inserted in a CD drive and read. The information on the card can be recorded and read by a computer when inserted in the CD drive (Abstract, column 1, lines 60-67, column 2, lines 28-35).

Therefore, one of ordinary skill in that art at the time the invention was made would have found it obvious to implement or incorporate Fischer's carrier is a compact disc in Nak's system in order for company information, such as the company program, catalogs, order forms, and automatic internet access to the homepage of the company can be provided as information on the calling card.

As per claim 34, Nak does not explicitly discloses method according to claim 32, wherein the compact disc has a perimeter smaller than standard smart cards. However, in an analogous art, Fischer discloses a card that can be inserted in a CD drive and read. The information on the card can be recorded and read by a computer when inserted in the CD drive (Abstract, column 1, lines 60-67, column 2, lines 28-35).

Therefore, one of ordinary skill in that art at the time the invention was made would have found it obvious to implement or incorporate Fischer's carrier is a compact disc in Nak's system in order for company information, such as the company program, catalogs, order forms, and automatic internet access to the homepage of the company can be provided as information on the calling card.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Publication 2001/0016877 A1


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

September 2, 2005


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